

Remarks

The present amendment responds to the Official Action dated June 4, 2003. The Official Action objected to claim 6 as informal. Claims 1, 2, 5-8 and 12 were rejected under 35 U.S.C. 103(a) as unpatentable over Baitz et al. U.S. Patent No. 6,206,285 ("Baitz") in view of Joseph U.S. No. Patent 5,635,906 ("Joseph"). Claims 3, 4, 13 and 14 were rejected under 35 U.S.C. 103(a) as unpatentable over Baitz in view of Joseph and further in view of Kane et al. U.S. Patent No. 6,154,135 ("Kane"). Claims 9-11 were rejected under 35 U.S.C. 103(a) as unpatentable over Baitz in view of Joseph and further in view of Heptig et al. U.S. Patent No. 5,377,269 ("Heptig"). These grounds of rejection are addressed below, following a brief discussion of the present invention to provide context.

Claims 1, 3, 6, 7 and 13 have been amended to be more clear and distinct. Claims 1-14 are presently pending.

The Present Invention

The present invention relates to product checkout devices and more specifically to a checkout device including an integrated barcode reader, scale, and electronic article surveillance (EAS) system. Common checkout devices include combinations of barcode readers and scales. One example of such a checkout device is the NCR 7875 checkout device. Another example of a checkout device includes a barcode reader and an integrated EAS system. The present invention recognizes the desirability of producing a checkout device with an integrated barcode reader, scale, and EAS system.

In accordance with the teachings of the present invention, a checkout device including an integrated barcode reader, scale, and electronic article surveillance (EAS) is provided. The checkout device includes a scale assembly including a base portion and a weigh plate disposed

over the base portion. The weigh plate includes an aperture. A barcode reader is located between the base portion and the weight plate and reads a barcode of an item through the aperture in the weigh plate. A security label deactivation system is also located between the base portion and the weigh plate, and deactivates a security tag affixed to the item after the item has been scanned. In a preferred embodiment, the checkout device is coupled to a point-of-sale (POS) terminal that provides both power and data connections to both the barcode reader and the scale assembly.

The Claim Objection

As suggested by the Examiner, claim 6 has been amended to delete the term "standard".

The Art Rejections

Claims 1, 2, 5-8 and 12 were rejected under 35 U.S.C. 103(a) as unpatentable over Baitz in view of Joseph. Claims 3, 4, 13 and 14 were rejected under 35 U.S.C. 103(a) as unpatentable over Baitz in view of Joseph and further in view of Kane. Claims 9-11 were rejected under 35 U.S.C. 103(a) as unpatentable over Baitz in view of Joseph and further in view of Heptig. These rejections are respectfully traversed as not supported by the relied upon art. The relied upon art does not anticipate and does not render obvious the claims as presently amended, as addressed in greater detail below.

Baitz is entitled "Peripheral Assembly Kit for the Workstation of a Goods Invoicing System." Baitz describes a system which can be utilized as either a self-service terminal or a cashier operated terminal. Among its several failings, as indicated by the Official Action, Baitz does not "teach or fairly suggest that a security deactivation system is installed between the base portion and the weigh plate."

Joseph does not cure the failings of Baitz as a reference. Joseph simply describes a security apparatus which is located near the exit of a retail store to be used to prevent shoplifting. According to Joseph, "[t]he security apparatus verifies that the weight of items purchased in a store corresponds to the amount of weight in the bags containing the purchases, and simultaneously disables the security tags on the items in the bags." This system basically replaces the security guard near the exit of retail stores who manually verifies that a customer's receipt corresponds to the items the customer is attempting to leave the store with. While a cashier is scanning a customer's items to be purchased, the cash register tabulates and stores the total weight of the purchases and prints a slip containing an invoice number with a corresponding barcode. The security tags are not deactivated as they are successfully scanned. When the purchase is completed, the bags are sealed and the customer receives the slip. As the customer exits the store, the sealed bags are placed on a scale and the weight determined. The customer then scans the barcode of the slip, and the security apparatus compares the determined weight with the weight stored by the cash register. If the weights agree, the security tags are deactivated and the customer is allowed to leave the store.

In contrast to the relied upon art, the present invention provides techniques for integrating a barcode reader, scale, and electronic article surveillance (EAS) system into a single checkout device. The integrated checkout device includes a weigh plate over a base portion, with the weigh plate including an aperture. A barcode reader is located between the base portion and the weight scale and reads a barcode of an item through the aperture in the weigh plate. A security label deactivation system disposed is between the base portion and the weigh plate, and deactivates the security tag affixed to the item after the item's barcode has been scanned. See Figs. 3 and 4, for example. In contrast, Joseph teaches directly away from the present invention

by requiring that a security tag is not deactivated when a purchase is tallied and paid for. See col. 6, lines 47-50 of Joseph, for example. The scanner of Joseph is simply used to read an invoice slip in order to look up the supposed weight of the total purchase as a customer leaves the store. Moreover, the scanner of Joseph is not integrated with the scale and EAS system, as presently claimed.

See amended claim 1, for example, which recites "a scale assembly including a base portion and a weigh plate over the base portion; wherein the weigh plate includes an aperture; a **barcode reader between the base portion and the weight scale which reads a barcode affixed to an item through the aperture in the weigh plate; and a security label deactivation system between the base portion and the weigh plate which deactivates a security label affixed to the item after the barcode is read by the barcode reader**" (emphasis added)

See also amended claim 12, for example, which recites the steps of:

reading a barcode label on an item moving in a path, which crosses an aperture of a scale weigh plate by a barcode reader between the aperture and a scale base portion;

sending a signal to an interlock by the barcode reader;

enabling a security label deactivation system between the scale weigh plate and the scale base portion and in a downstream position from the barcode reader relative to the path of the item;

detecting a security label on the item by the security label deactivation system as the item moves along the path and crosses the security label deactivation system; and

deactivating the security label by the security label deactivation system (emphasis added)

See also claim 2, which recites that "the barcode reader enables the security label deactivation system following reading of the barcode" affixed to the item.

Nor would it be obvious to combine the teachings of Baitz with the teachings of Joseph. As detailed above, Joseph teaches that the security system should be located away from the point of sale system and that the security tags should be left enabled after leaving the point of sale area.

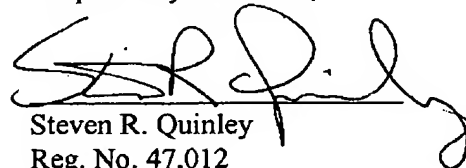
Kane and Heptig fail to remedy the failings of Baitz and Joseph as references. Kane is merely relied upon to show an EAS system which utilizes coils. Heptig describes a system for controlling access to a personal computer. These references do not teach and do not render obvious a system and method for an integrated checkout system as presently claimed.

In summary, the claims as presently amended are not taught, are not inherent, and are not obvious in light of the art relied upon.

Conclusion

Any questions regarding this application may be raised by telephone with the undersigned if it is considered that processing of this application will be expedited thereby

Respectfully submitted,



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